

441—105.20 (232) Provisional approval.

105.20(1) *Required conditions.* A provisional approval may be issued at the time of application or reapplication for approval or as a result of a complaint investigation when all of the following conditions exist:

- a.* The shelter care or detention facility fails to meet the approval requirements.
- b.* A provisional approval has not previously been issued to the facility for the same deficiencies during the past year.
- c.* The deficiencies do not present an immediate danger to the child's physical or mental health.
- d.* The director of the facility, chairman of the county board of supervisors, or chairman of the multicounty board of directors provides the department with the following:
 - (1) A plan for correcting the deficiencies.
 - (2) The date by which the standards will be met.

If conditions "b," "c," or "d" are not met, then the application for approval shall be rejected or the approval revoked.

105.20(2) *Time limited.* Provisional approvals shall not be issued for longer than one year.

105.20(3) *Completed corrective action.* When the corrective action is completed on or before the date specified on the provisional approval, a full approval shall be issued for the remainder of the year.

105.20(4) *Uncompleted corrective action.* When the corrective action is not completed by the date specified on a provisional approval, the department shall not grant a full approval and has the option of rejecting or extending the provisional approval. An extension of a provisional approval shall not cause the effective period of a provisional approval to exceed 18 months. If the corrective action plan is not completed within 18 months, the approval shall be rejected.